

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	1:17CR218-1
	:	
v.	:	
	:	
MICHAEL WAYNE BOYLES	:	FACTUAL BASIS

NOW COMES the United States of America, by and through Sandra J. Hairston, Acting United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11, Fed. R. Crim. P., states the following:

On April 28, 2016, family members of the person identified herein as “Jane Doe 1” reported her as missing to the Henry County (Virginia) Sheriff’s Office. At that time, Jane Doe 1 was 29 years of age and had been previously been addicted to heroin. An anonymous tip on May 1, 2016, said that Jane Doe 1 was at a hotel in High Point, North Carolina, held by two men to work off a drug debt. Police tracked the use of Jane Doe 1’s cell phone, and based on that, Jane Doe 1 was found on May 4, 2016, in Shallotte, N.C. by the Brunswick County Sheriff’s Office. Police also found MICHAEL WAYNE BOYLES and two other women with Jane Doe 1. The two other women said BOYLES was involved in posting ads on the internet for commercial sex acts, and that BOYLES controlled the money taken in, as well as the food, housing,

transportation, and heroin including Jane Doe 1. The other two women also said that BOYLES provided them with heroin. Police charged one of the other women with state human trafficking charges, because she assisted in the acts of prostituting Jane Doe 1.

BOYLES admitted some of the offense conduct to police following his arrest. BOYLES admitted that he and others traveled from Greensboro to Virginia and picked up Jane Doe 1, whom he said had family problems. BOYLES said they returned to North Carolina with Jane Doe 1, but said that Jane Doe 1 then worked as a prostitute for another known drug dealer. BOYLES acknowledged that he posted internet ads depicting Jane Doe 1, as an 'escort'.

Jane Doe 1 told police that after she contacted the aforementioned known drug dealer to help her with a family situation, that dealer came along with BOYLES others to her home in Virginia and brought her to North Carolina. Jane Doe 1 said she had stopped using heroin, but that BOYLES and the aforementioned drug dealer subsequently provided heroin to her again and directed her to perform sex acts with others for money. Some of those involved said that Jane Doe 1 initially agreed to perform commercial sex acts in order to get heroin from BOYLES. Jane Doe 1 said her phone and identification were taken from her and that she was kept high on heroin by BOYLES and the drug

dealer and transported to various locations to engage in commercial sex acts. Jane Doe 1 said she provided all the proceeds from the commercial sex acts to BOYLES, who provided heroin to herself and other women. Jane Doe 1 and other witnesses said that BOYLES provided heroin to Jane Doe 1 in the course of his using her as a prostitute, and that BOYLES used the further inducement of withholding heroin from Jane Doe 1 as a means of getting her to continue to perform commercial sex acts. Providing heroin and using the threat or act of withholding heroin from addicts, thus causing physical and psychological effects due to heroin withdrawal, has been found to constitute “serious harm” in the context of commercial sex act offenses. *United States v. Fields*, No. 8:13-cr-198-T-30TGW, 2013 WL 5278499, at *1 (M.D.Fla. Sept. 18, 2013)(in reference to sex trafficking, 18 U.S.C. § 1589); *United States v. Mack*, 808 F.3d 1074, 1082 and n.5, (6th Cir. 2015), *cert. denied*, 136 S. Ct. 1231, 194 L. Ed. 2d

227 (2016)(citing *Fields* and also in reference to sex trafficking, 18 U.S.C. § 1589).

This the 31st day of July, 2017.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2017, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kathleen A. Gleason, Esq.

Respectfully submitted,

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